



Express Mail No. EV 534 877 405 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Baxter, <i>et al.</i>	Confirmation No.:	7561
Serial No.:	09/281,717	Art Unit:	1631
Filed:	March 30, 1999	Examiner:	M. Moran
For:	METHODS FOR MODULATING NUCLEAR RECEPTOR COACTIVATOR BINDING (as amended)	Attorney Docket No:	61040-0008 US

PETITION FOR USE OF COLOR DRAWINGS
UNDER 37 CFR § 1.84(a)(2)

Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed are three (3) sets color drawings, comprising FIGs. 5, 12-16, and 18, for the above-referenced patent application. The drawings attached hereto are identical to drawings with the same numbers that were originally filed with the subject patent application.

Accordingly, no new matter is introduced herewith.

Also enclosed is one (1) set of black and white /gray-scale copies of the same drawings. The Examiner is respectfully requested to use a black and white / gray scale drawing in any instance in which the color counterpart is deemed unacceptable or if, for any reason, the instant petition is denied.

In accordance with 37 C.F.R. § 1.84(a)(2), Applicants authorize the fee of \$130 listed in 37 C.F.R. § 1.17(h), as set forth hereinbelow.

Also filed, on even date herewith, is an amendment under 37 C.F.R. § 1.312 that amends the specification of the subject patent application to include the specific reference to color drawings set forth in 37 C.F.R. § 1.84(a)(2).

Reason(s) for Petition

Applicants hereby request entry of color drawings into the file of the subject application for at least the following reason(s). Applicants' invention is concern with complicated three-dimensional structures of protein structures in which specific attributes of

a ligand and coactivator binding sites, and binding interactions of respectively a ligand and coactivator thereto, are described. In order for one of ordinary skill in the art to understand key features of the subject matter of the claimed invention, it is necessary for color drawings to be included. Black and white drawings do not permit sufficient resolution or clarity — through shading or otherwise — to permit Applicants to effectively display characteristic features of the protein structure and interactions of ligands and coactivators therewith. In particular, certain secondary structural features of the binding sites (including the positions of key amino acid residues) must be clearly delineated, and conformations of various molecules within the binding site must be clearly presented. Effective presentation of these features can only be accomplished by use of color drawings.

Applicants also note that, in view of the late stage of proceedings in the subject application, and notwithstanding the Office's waiver of the requirement to enclose a black and white copy of all drawings submitted in color (1246 O.G. 106, May 22, 2001), such black and white/gray-scale drawings have been submitted herewith. Should the Examiner deem any of the color drawings submitted herewith to be unacceptable, or if the instant petition is not granted for any reason, she is respectfully requested to use a black and white / gray scale drawing in its place. Such black and white /gray scale drawings would similarly introduce no new matter into the instant application.

Accordingly, it is respectfully requested that the instant petition be granted and that color drawings be entered into the file of the above-identified patent application.

Conclusion

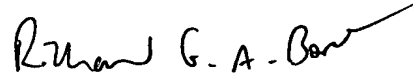
Applicants have complied with the requirements of 37 C.F.R. § 1.84(a)(2) in connection with requesting acceptance of color drawings in the subject patent application, and, accordingly, respectfully request approval of the instant petition.

SIGNATURE BLOCK AND FEE AUTHORIZATION ON NEXT SHEET

Please charge the required fee of \$130.00 under 37 C.F.R. § 1.17(h) to Morgan, Lewis & Bockius LLP Deposit Account No. 50-0310 (order no. 61040-0018). Should the Commissioner determine that this amount is incorrect, he is authorized to charge any underpayment, or credit any overpayment, to Deposit Account No. 50-0310. A copy of this sheet is enclosed.

Respectfully submitted,

Date: June 3, 2005



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